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The Adversary

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## **The Adversary (December 3, 1969)**

Southern Methodist University School of Law

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# The Adversary

SOUTHERN METHODIST UNIVERSITY SCHOOL OF LAW

Vol. 1, No. 4

December 3, 1969

## TENURE

## NEED TO BUY OR SELL

Recently the Student Bar Association discussed a very critical issue--tenure. The Executive Council in a heavily argued session decided upon a procedure to be used in making student recommendations upon tenure. This semester, three professors were being reviewed for tenure: Morris, Riegert, and Wingo. Most students realized they were being evaluated as other professors have attended the class to determine his teaching capabilities. The Council decided that since no appreciable improvement could be seen from last year's teacher evaluations, the Bar should move to this area of the academic community.

A process was derived to objectively, as much as possible, evaluate the teacher with regard to the qualities required of a tenured member of the faculty, but strictly from a student's point of view. The evaluations were to be made on a Wednesday afternoon with a report to the Dean to be made the following week. In the meantime several students petitioned the Executive Council to reconsider the idea of evaluating professors for tenure.

Another Executive Council meeting was called, and the Council reevaluated the propriety of making a recommendation (See Tenure p.3)

### [Post Cards—Grades]

All students who desire early notification of their grades may turn in post cards to the Records Office no later than the 18th of December. A card for

each course must be turned in, and the form for required information on each card will be posted on the Records Office bulletin board.

The Student Bar Association will assist all students who wish to sell any of their law books during the first week of the Spring semester. Those who desire to sell their books should turn the books in at the SBA office on January 6th and 7th. Each book should have an envelope placed inside the cover with the seller's name and sale price clearly written on the envelope. All transactions will be recorded on a master list as well as with the envelopes. The books will be sold only on Jan. 8th from 8 a.m. until 12:00 noon. On January 9th all money or books must be picked up by the owner at the SBA office. The whole set-up is a communistic plot to undermine the "Book Store Capitalists," so your cooperation will be greatly appreciated.

### A Giant "THANK YOU"

The Donald C. Fitch Jr. family has expressed their most sincere gratitude to the students of the SMU School of Law who participated in the recent blood drive for Mr. Fitch. The response to the appeal was greatly appreciated, and those students are commended for this response. Dean Galvin remarked that the student body displayed a great deal of character and a tremendous sense of responsibility in coming to the aid of a man whom they did not know personally.



## LEGAL AID

A new procedure for enrolling in Legal Aid has been announced. Beginning with the Spring registration, students may enroll in Legal Aid according to the following rules and procedures:

1. The Legal Aid Clinic will accept a maximum of forty students each semester.
2. Second year students with an average of not less than 73 are eligible to enroll in Legal Aid.
3. Third year students who are not on probation are eligible to enroll in Legal Aid.
4. Students may enroll for Legal Aid at the same time and in the same fashion as they enroll for all other classes. No special list will be made prior to registration.

Walter W. Steele Jr.  
Director

## FACULTY ACTIVITIES

Professors Smith and McKnight have been revising Texas Family Property Law. Last year's legislature enacted the Matrimony Property Law of 1967. Title II of the Family Code, dealing with children, is now in the course of preparation. . . . Professor Harvey Davis was recently elected treasurer of the Texas Consumer Association. The next meeting of the Association will be in Florence Hall on November 22. . . . Professor Howard Taubenfeld recently attended the Weather Modification Advisory Board of the Texas Water Development Board. . . . Professor Alan R. Bromberg recently made a presentation in New York at the Practising Legal Institute's first annual institute on Securities Regulation. . . . Professor George Pelletier has been working on the short course of Dangerous Drugs to be held this Spring. . . . Dean Charles O. Galvin and Professor Boris I. Bittker of Yale Law School have co-auth-

## ored a new presentation, The Income Tax: How Progressive Should It Be ?

The Law School Committee of the Board of Trustees, chaired by the Honorable Alfred P. Murrah, met in the Faculty Dining Room at Lawyers Inn on Thursday, November 13. The agenda items discussed included student scholarships, continuing legal education, and the law school's involvement in community affairs.

## BAR NOTES

Here it is finals time again; time when no one seems to have time for anything but law. This semester seems to have gone by quickly for the Executive Council of the SBA. In this column I have tried to relate to you some of the subjects taken up by this group. Some projects have been successes while some have not yet proved their merit. In the Spring the Council will again dive into the problems of the immediate academic Community. Plans for a law student private club will be followed through. The procedure for student opinions on tenure will be worked on and finalized. The LSD of the ABA has several worthwhile projects which will receive consideration. The curriculum committee will begin a complete look at our curriculum policy and make recommendations from the student viewpoint.

These programs will not be the sole work of the Bar, the usual programs of socials and speakers will be available again. The response to every program presented by the Executive Council in the fall was greatly appreciated. We hope that this Bar can continue to present worthwhile endeavors for you, and we would also hope that you will be as responsive next semester. Good luck in finals and have a well-earned, I'm sure, holiday.

John D. Jackson  
President SBA

## HOW and WHY

To: All Legal Clinic Personnel

1. You need to become increasingly aware of the Statute of Limitations problem in our cases other than divorce. Don't fool around in a case when the Statute of Limitations applies as that can lose a case for your client.

2. If we represent a client as Plaintiff, but more particularly as a Defendant, and he is served with some papers from the court, let Mr. Steele know as there are answer dates which must be met. If these dates aren't met, under T.R.C.P. you will be denied use of affirmative defenses. Again, this can lose a case for you.

William J. McGowan  
Student Chief Counsel

## PROFESSORS ON LEAVE IN SPRING OF 1970

Professor Smith will be on leave during the Spring semester as he will be at the Columbia University School of Law completing his dissertation for his SJD.

Professor Taubenfeld and Mrs. Taubenfeld will be working on a study of the International Implications of Weather Modification during the Spring and Summer of 1970.

## REMINDER!

The Board of Editors of the Journal of Air Law and Commerce is pleased to announce that Volume 35 #3 is now available on a complimentary basis to all full-time law students who request them from Mrs. Gray in Room 20. This issue contains the Symposium on Air Transport Labor Relations. Volume 35 #2 is temporarily out of print but will be available soon to those who failed to get it during our recent offer. As you know, each offer is for a limited time only, so do not delay too long in requesting a copy if you desire one.

## THE SPORTING THING

—BILL HUNT

Football recruiting season has come around again, and if the results this year are as balanced in the SWC as they have been the past two years then there will be no "super teams" in 1971. The last real sweep in recruiting was in 1967 when Texas gathered the finest freshman squad in conference history. Players like Steve Worster, Billy Dale, Cotton Speyer, Bill Atessis, Scott Henderson, and Fred Steinmark will be joined by All-SWC redshirts Bobby Wuensch and Deryl Comer for a grand finale next year when the Longhorns field 15 starting seniors. After that bunch graduates no team will have a decisive edge in material unless a similar recruiting sweep occurs this year.

If you want a head start as to who's who on the recruiting lists this year, here are some prospects everyone is probably after. Cleveland Vann (6-2, 215) is averaging seven yards a carry and twenty points a game for Sequin; he also plays linebacker, punts, and kicks field goals. Danny Brown (6-4, 215) plays fullback and linebacker for Stephenville. "He's the finest football player I've seen in our area," says Brownwood coach Gordon Wood. And Mr. Wood has seen a lot of excellent prospects, among them his own quarterback, Jimmy Charmichael (6-1, 180), who completed 17 of 28 passes for 348 yards and four touchdowns, and intercepted two passes as a defensive safety, when he played against 4A Arlington Heights.

Two other outstanding backs are right here in Dallas. Dennis Ladd (6-1, 195) gained 1,033 yards this year for Carter, and Dickey Morton (5-10, 185) rushed for 1,327 yards on 161 carries for an 8.2 average. Ladd scored 16 touchdowns; Morton, who may be the top halfback prospect in the state, got 20 for Kimball.

The younger brother of Texas' top sophomore lineman David Arledge was all-district both ways at Richardson this year. He's Craig Arledge, (6-0, 190) and he's taller and heavier than David.

Three tall players who should attract attention are Alvin tackle Ron Weidenbach (6-6, 240), Marfa linebacker Robert Guevara (6-6, 270), and Diboll end Mack Mitchell (6-8, 235). Mitchell runs the 100 in 10 flat.

Several linebackers will be highly sought. Greg Dahlberg (6-1, 210) led San Antonio Lee to an undefeated regular season. Garth Jones (6-1, 225) carried El Paso Coronado to the playoffs. Charles Banno (6-1, 215) headed the tough defense of the city champions, Woodrow Wilson. Ted Hemmingson (6-0, 205) wasn't on a powerful team, but he made the Hillcrest defense competitive by taking part in over 200 tackles during the year. Hemmingson is being compared favorably with ex-Hillcrest linebackers Brian Blessing and Scott Henderson.

There are plenty of other fine players throughout the state, but if you're watching for a dynasty you might use these prospects as a gauge of things to come. Recruiting may not be everything in college football, but whatever's in second place won't win the national championship.

### TENURE (Cont. from p. 1)

with the existing procedure. The question was raised whether the procedure was perfected. It was argued that the better move would be to do an extensive study next semester to come up with a better means, as the event of tenure is important to the stud-

ents, faculty, and reputation of the law school. Upon a vote, the Council decided to accept the argument to wait until next semester to formulate a better procedure.

The SBA Executive Council

## FRATERNITY NEWS

### PADS Climax Successful Year

Phi Alpha Delta again captured the coveted Spitoon Bowl with a 19-6 victory. PAD climaxed upperclass rush with the initiation of 24 very fine pledges. The initiation ceremonies took place in the chambers of Judge Dee Brown Walker in the Dallas County Courthouse.

Phi Alpha Delta had earlier welcomed all eligible rushees to its annual Fall Rush Party at the Dallas Bar Club of the Adolphus. Inebrious spirits and football films of the SMU Astro-Bluebonnet Bowl victory over Oklahoma highlighted the evening. A surprise visit was paid by Miss Barbara Spect of Texas Tech, the reigning Queen of College Football's 100th anniversary. She was quoted as saying, "What a bunch of Studs."

PAD wishes good luck on finals and a joyous holiday season to all. Joe Lazara

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## CONSTRUCTIVE NOTICE

Calendar of events:

### December

- 5 Last day to withdraw from classes
- 6 SMU v. Wisconsin Basketball at Moody
- 10 SMU v. Georgia Tech Basketball at Moody
- 18 Final Exams End & Last day to turn in post cards for grades
- 19 Law wives Egg nog Party

### January

- 6-7 Law School Registration
- 8 SBA Book Sale
- Classes Begin
- 13 SMU v. Okla. City Basketball at Moody
- 16 Last day to add and drop courses
- 17 SMU v. TCU Basketball at Moody
- 24 SMU v. Rice Basketball at Moody
- 27 SMU v. Texas Basketball at Moody



SOUTHERN METHODIST UNIVERSITY  
SCHOOL OF LAW

REVISED - OCTOBER 20, 1969

FINAL EXAMINATION SCHEDULE - FALL 1969

	8:30-11:30 a.m.	1:30-4:30 p.m.	6:30-9:30 p.m.
Mon 8 Dec	Civil Procedure I		Evidence
Tues 9 Dec	Const Law I	Civil Rights Sem (S)	Ethics 1 Ethics 2
Wed 10 Dec	Crimes 1 & 2	Texas Matr Prop	Insurance
Thur 11 Dec	Income Tax 1 Income Tax 2	Inter-Amer Reg Law	
Fri 12 Dec	Property I-1 Property I-2	Municipal Corp	
Sat 13 Dec	Land Use Planning	Wills and Trusts	Prob in Prof Resp
Sun 14 Dec		Research Methods Com. Law I	Family Law
Mon 15 Dec		Oil and Gas	Workmen's Comp
Tues 16 Dec	Torts I-1 Torts I-2	International Law	Tax Proc and Litig
Wed 17 Dec	Comparative Law I	Business Assoc I-1 Business Assoc I-2	Law in Society I
Thur 18 Dec	Contracts I-1 Contracts I-2	Commercial Code	Labor Law
NO EXAMINATION: Air Law I, Arbitration Seminar, Commercial Law I (Com), Comparative Civil Procedure, Comparative Criminal Justice, Comparative Private International Law, Corporate Finance, Corporate Planning 1 & 2, Employee Relations, Food and Drug Law Seminar, Law and Psychiatry, Legal Aid, Legal Writing, Mental Conditions and Criminal Liability, Practice Court I, Science, Technology and Law, Taxation and Fiscal Policy, Taxation of Business Entities. Conflicts of Law has been added, too.			

Spring Registration:

Tues. 6 Jan. 1970 First year only  
Noon-4 P. M.

Wed. 7 Jan. 1970 Other Students  
10 A. M. -Noon  
1 P. M. -6 P. M.

There are several LOCKERS  
available now. If you are inter-  
ested in obtaining one, see Mar-  
cena Harlan in the Dean's Office.

THE SPITTER

The student bar football, com-  
monly known as "The Spitter"  
(a name derived from the famous  
sex game in which it is used), is  
available for law student use.

It may be checked out from the  
main library desk for periods not  
to exceed forty-eight. To check  
it out, a student must present his

I.D. card and sign an agreement  
accepting full responsibility for  
the \$25.00 replacement cost,  
and promising to pay 25¢ per  
hour fine for returning it after  
the 48 hour period.

Mike Allison



## THE ADVERSARY - SUPPLEMENT

The Law Student Division of the American Bar Association  
"What's in it for you?"

by Tim Campbell

Someone asked me the other day, "Say, what ever happened to the Law Student Division here at S. M. U. ?" The answer to that is simple. Nothing. Nothing that is, which has never happened before. For at S. M. U. involvement in the Law Student Division has largely been an individual matter. Each student was given a membership upon payment of dues and the usual benefits of low cost insurance, national placement service, and some periodicals were offered in return. And that was that. And that was the Law Student Division. That is history.

One of the major growing pains for this three year old organization has been a continuing redefining of what can be done within the structure of the LSD. The final definition is not at hand, but there are some new and exciting areas to be explored by the membership. And yet, as with every organization, accomplishments take individual effort to make the true benefits of LSD membership evolve.

What do I propose for you as members of the LSD and S. M. U. that has not been proposed before? The beginning is also the end and answer. I propose that you see what you can do for the LSD, for you just may find that you'll be helping yourself in the process. "How?", you ask.

1. The LSD has the most comprehensive information on how law students can begin to practice in the courtroom under the guidance of an attorney than any other organization, and has active national committees to help any of its members gain the necessary changes in State courtroom procedures. This whole scheme is called the Model Court Rule. Your Student Bar has the information that could put you to work on getting this change in the Texas court practices. If you were to work for the change, you could actually get some clinical experience while still in law school-which just might give you some of that "practical" legal education I hear so many law students asking for in law school.

2. The S. M. U. campus, if one reads the school news, seems to be constantly in a state of battle as to what "student rights" are. The LSD foresaw students trying to define what "Student rights" really were, and the result was a study and a published Model Code of Student Rights and Responsibilities which each campus was to evaluate and use as a guide to adopt in part or entirely to settle at each campus the question of "student rights." You can ask your Student Bar if you can help implement this type of code at S. M. U. It may help you, and by your involvement you will be participating in the "creative era" of the LSD.

What I have proposed presumes that there are students at S. M. U. who sincerely would like to see the relevance of the LSD to their present status. I may be wrong in that presumption. But I know I am correct in presuming that the LSD is equipped to respond to the needs of the student. It means, however, that the real burden is on every individual to decide what depth of involvement in the LSD will bring the relevance he or she searches for. The LSD is ready. Are you?



Tim Campbell is a 3rd Year law student at S M. U. who has been active in LSD affairs since its beginning. He was the S. M. U. delegate to two national conventions, the local S. M. U. Student Bar LSD Representative for two years, a member of the Annual Meeting Committee of the LSD in 1968, Chairman of the Annual Meeting Committee in 1969 which hosted the Dallas ABA Annual Meeting, and presently is one of seven national officers of the LSD serving as the Division Delegate to the ABA House of Delegates where he represents the views of the 18, 000 member LSD.